

Coast Guard, DHS

§ 161.5

in Table 161.12(c) (VTS and VMRS Centers, Call Signs/MMSI, Designated Frequencies, and Monitoring Areas).

Vessel Movement Reporting System (VMRS) User means a vessel, or an owner, operator, charterer, Master, or person directing the movement of a vessel that is required to participate in a VMRS.

Vessel Traffic Center (VTC) means the shore-based facility that operates the vessel traffic service for the Vessel Traffic Service area or sector within such an area.

Vessel Traffic Services (VTS) means a service implemented by the United States Coast Guard designed to improve the safety and efficiency of vessel traffic and to protect the environment. The VTS has the capability to interact with marine traffic and respond to traffic situations developing in the VTS area.

Vessel Traffic Service Area or VTS Area means the geographical area encompassing a specific VTS area of service. This area of service may be subdivided into sectors for the purpose of allocating responsibility to individual Vessel Traffic Centers or to identify different operating requirements.

NOTE: Although regulatory jurisdiction is limited to the navigable waters of the United States, certain vessels will be encouraged or may be required, as a condition of port entry, to report beyond this area to facilitate traffic management within the VTS area.

VTS Special Area means a waterway within a VTS area in which special operating requirements apply.

VTS User means a vessel, or an owner, operator, charterer, master, or person directing the movement of a vessel, that is:

(a) Subject to the Vessel Bridge-to-Bridge Radiotelephone Act; or

(b) Required to participate in a VMRS within a VTS area (VMRS User).

VTS User's Manual means the manual established and distributed by the VTS to provide the mariner with a description of the services offered and rules in force for that VTS. Additionally, the manual may include chartlets showing the area and sector boundaries, general navigational information about the area, and procedures, radio frequencies, reporting provisions and other infor-

mation which may assist the mariner while in the VTS area.

[CGD 90-020, 59 FR 36324, July 15, 1994, as amended by CGE 97-023, 62 FR 33364, June 19, 1997; USCG-2003-14757, 68 FR 39364, July 1, 2003]

§ 161.3 Applicability.

The provisions of this subpart shall apply to each VTS User and may also apply to any vessel while underway or at anchor on the navigable waters of the United States within a VTS area, to the extent the VTS considers necessary.

§ 161.4 Requirement to carry the rules.

Each VTS User shall carry on board and maintain for ready reference a copy of these rules.

NOTE: These rules are contained in the applicable U.S. Coast Pilot, the VTS User's Manual which may be obtained by contacting the appropriate VTS, and periodically published in the Local Notice to Mariners. The VTS User's Manual and the World VTS Guide, an International Maritime Organization (IMO) recognized publication, contain additional information which may assist the prudent mariner while in the appropriate VTS area.

§ 161.5 Deviations from the rules.

(a) Requests to deviate from any provision in this part, either for an extended period of time or if anticipated before the start of a transit, must be submitted in writing to the appropriate District Commander. Upon receipt of the written request, the District Commander may authorize a deviation if it is determined that such a deviation provides a level of safety equivalent to that provided by the required measure or is a maneuver considered necessary for safe navigation under the circumstances. An application for an authorized deviation must state the need and fully describe the proposed alternative to the required measure.

(b) Requests to deviate from any provision in this part due to circumstances that develop during a transit or immediately preceeding a transit, may be made verbally to the appropriate VTS Director. Requests to deviate shall be made as far in advance as practicable. Upon receipt of the request, the VTS Director may authorize a deviation if it is determined that,